

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:)	Chapter 11
)	
W. R. GRACE & CO., et al., ¹)	Case No. 01-01139 (AMC)
)	(Jointly Administered)
Reorganized Debtors.)	
)	Hearing Date: September 22, 2020, at 2:00 p.m.
)	Objection Deadline: August 17, 2020, at 4:00 p.m.

**NOTICE OF MOTION FOR SUMMARY JUDGMENT PURSUANT TO FED. R.
BANKR. P. 7056 FOR DISALLOWANCE OF CLAIM NO. 392, FILED BY GARY S.
SMOLKER, AND RELATED CLAIMS, NOS. 382 AND 4070, FILED BY HOME
SAVINGS TERMITE CONTROL, INC., AND WAYNE MORRIS, RESPECTIVELY**

TO: (i) the Office of the United States Trustee; (ii) Counsel for the WRG Asbestos PI Trust; (iii) Counsel for the Asbestos PI Future Claimants Representative; (iv) Counsel for the Asbestos PD Future Claimants Representative; (v) Counsel for the WRG Asbestos PD Trust (7A); (vi) Counsel for the WRG Asbestos PD Trust (7B); (vii) Counsel for the CDN ZAI PD Claims Fund; (viii) those parties that requested service and notice of papers in accordance with Fed. R. Bankr. P. 2002; and (ix) Claimants.

On August 3, 2020, the above-captioned reorganized debtors (collectively, the “Reorganized Debtors”) filed the attached *Motion for Summary Judgment Pursuant to Fed. R. Bankr. P. 7056 for Disallowance of Claim No. 392, Filed By Gary S. Smolker, and Related Claims, Nos. 382 and 4070, Filed By Home Savings Termite Control, Inc., and Wayne Morris, Respectively* (the “Motion”) with the United States Bankruptcy Court for the District of Delaware, 824 Market Street, Wilmington, Delaware 19801 (the “Bankruptcy Court”). A true and correct copy of the Motion is attached hereto.

Responses to the relief requested in the Motion, if any, must be in writing and be filed with the Bankruptcy Court no later than 4:00 p.m. (prevailing Eastern time) on **August 17, 2020**. At the same time, you must also serve a copy of the objections or responses, if any, upon

¹ W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc., or “Grace”) is the sole remaining Reorganized Debtor and Case no. 01-1139 is the sole remaining open chapter 11 case.

the following: (i) co-counsel for the Reorganized Debtor, Adam C. Paul, Esq. and John Donley, Esq., Kirkland & Ellis LLP, 300 North LaSalle Street, Chicago, IL 60654 and Roger J. Higgins, Esq., The Law Offices of Roger Higgins, LLC, 516 North Ogden Ave., Suite 136, Chicago, IL 60642, and Laura Davis Jones, Esq. and James E. O'Neill, Esq., Pachulski Stang Ziehl & Jones LLP, 919 North Market Street, 17th Floor, PO Box 8705, Wilmington, DE 19899-8705 (Courier 19801); (ii) the Office of the United States Trustee, Richard L. Schepacarter, Esq., U.S. Department of Justice, Office of the U.S. Trustee, 844 King Street, Suite 2207, Lockbox 35, Wilmington, DE 19801; (iii) counsel for the WRG Asbestos PI Trust; Marla Rosoff Eskin, Esq. and Mark T. Hurford, Esq., Campbell & Levine, LLC, 222 Delaware Avenue, Suite 1620, Wilmington, DE 19801 and Philip E. Milch, Esq., Campbell & Levine, LLC, 310 Grant Street, Suite 1700, Pittsburgh, PA 15219; (iv) counsel for the Asbestos PI Future Claimants Representative, John C. Phillips, Jr., Esq., Phillips, Goldman, McLaughlin & Hall, P.A., 1200 North Broom Street, Wilmington, DE 19806; (v) counsel for the Asbestos PD Future Claimants Representative, R. Karl Hill, Esq., Seitz, Van Ogtrop & Green, P.A., 222 Delaware Avenue, Suite 1500, P.O. Box 68, Wilmington, DE 19899 and Alan B. Rich, Esq., Attorney and Counselor, 4244 Renaissance Tower, 1201 Elm Street, Dallas, TX 75270; (vi) counsel for the WRG Asbestos PD Trust (7A), Richard B. Schiro, WRG Asbestos PD Trust, c/o Wilmington Trust, Attn: Corporate Trust Administration, 1100 N. Market Street, Wilmington, DE 19890-1625 and Deborah D. Williamson, Esq., Dykema Cox Smith, 112 E. Pecan Street, Suite 1800, San Antonio, TX 78205; (vii) counsel for the WRG Asbestos PD Trust (7B), Edward B. Cottingham, Jr., Esq., The Cottingham Law Firm, 317 Wingo Way, Suite 303, P.O. Box 810, Mt. Pleasant, SC 29465 and M. Dawes Cooke, Esq., Barnwell Whaley Patterson & Helms LLC, P.O. Drawer H, Charleston, SC 29402; and (viii) counsel for the CDN ZAI PD Claims Fund, Daniel K. Hogan, Esq., The Hogan Firm, 1311 Delaware Avenue, Wilmington DE 19806 and Yves

Lauzon, Esq., Michel Belanger, Esq., Lauzon Belanger Lesperance Inc., 286, Rue St-Paul Ouest,
Bureau 100, Montreal, Quebec, H26 2A3 CANADA.

IF NO OBJECTIONS ARE TIMELY FILED AND SERVED IN
ACCORDANCE WITH THIS NOTICE, THE BANKRUPTCY COURT MAY GRANT THE
RELIEF REQUESTED BY THE MOTION WITHOUT FURTHER NOTICE OR HEARING.

IN THE EVENT THAT ANY OBJECTION OR RESPONSE IS FILED AND
SERVED IN ACCORDANCE WITH THIS NOTICE, A TELEPHONIC HEARING ON THE
OBJECTION WILL BE HELD BEFORE THE HONORABLE ASHELY M. CHAN ON
SEPTEMBER 22, 2020, AT 2:00 P.M. PREVAILING EASTERN TIME. INSTRUCTIONS
WILL BE PROVIDED.

Dated: August 3, 2020

THE LAW OFFICES OF ROGER HIGGINS, LLC
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and

PACHULSKI STANG ZIEHL & JONES LLP

/s/ James E. O'Neill

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